

**ORIGINAL**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAIIFILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAIIJUL 6 2006  
at 9:40 a M  
SUE BEITIA, CLERKWilliam Kotis,  
Plaintiff,

vs.

State of Hawaii, Dept of  
Public Safety, et. al.  
DefendantsCIVIL NO. 04-00167 SOM-KSC  
(Consolidated)

MOTION FOR CONTINUANCE AND INJUNCTION

## MOTION FOR CONTINUANCE AND INJUNCTION

Comes now Plaintiff William Kotis, pro-se to move this Court to grant a Continuance pursuant to Local and Federal Rules that govern this Court. This is due to important Factors regarding several issues that have come up in the last two months. Plaintiff has brought forth in good Faith this much needed continuance and/or Injunction. This is the First time Plaintiff has asked for a continuance. Throughout the entire duration of CIV. NO 04-00167 I have always tried to have this case come to its Finality and completion as soon as possible. The continuance is in order and Injunctive relief is needed for many reasons some are listed in this Motion.

Daily, since June 13, 2006 I have both voiced and written my petitions and concerns to many prison officials. Prison officials at the F.D.C. are being told by State to place more restriction and hardships on Plaintiff. Some of these retaliatory restrictions have been recently discussed on four dates with the Courts by telephone, in a motion filed June 20, 2006 "Ex Parte Motion to Return Plaintiff's Legal Material, Personal Property and Order State to Halt Harassment and Intimidation" in a recent letter to the Court that has been returned to the Plaintiff three times.

Violations of 5th and 6th Amendment and possible 8th Amendment are occurring daily and Plaintiff prays this Court will intervene.

Some of these violations of a capricious and retaliatory nature are listed:

1. Having all his legal mail returned.
2. To date has only been given (5) Five stamps, once on 6/23/2006
3. Theft of Court documents including certain trial Exhibits that to date have not all been fully recovered.
4. Since June 13, 06 has been denied daily any phone calls including legal and attorney calls
5. Has been denied daily phone calls to Ombudsman and other elected officials and governmental agencies and Representatives.
6. Has been daily denied a grievance Form (BP 8.5) to address these civil rights and other violations. To date not given any not even once.
7. Although I ask daily not even once, has Plaintiff been able to use a Yellow pages or other phone book so Plaintiff may contact much needed sources and resources for his case.
8. Arbitrarily and capriciously being placed in punitive solitary confinement solely for retaliatory purposes and to further hamper Plaintiff from doing legal work has risen to an 8TH Amend. violation SEE case *Bong vs. MacDougal* 454 US 364.

All these undue and retaliatory hardships have altogether completely stopped me from litigating, investigating and trying to obtain assistance for my legal claim(s). All of the chronological retaliatory restrictions and infringements of Constitutional rights upon Plaintiff shows that an Injunction (Injunctive Relief Orders) to remedy the total deprivation of Plaintiff then also a Continuance for trial is in order and needed at this time. SEE cases *Ailmore vs. Lynch* 404 US 15, *Bryan vs. Werner* 516 F2d 233 (3d), *Woods vs. Smith* 60 F2d 1161 (5th), *McDonald vs. Hall* 610 F2d 16, *Jones vs. Diamond* 594 F2d 997, *Sostre vs. McGinnis* 442 F2d 178, *Blanks vs. Cunningham* 409 F2d 220, *Ramer vs. US* 411 F2d 30 (9th) 376 US 965, *Harris vs. US* 344 F2d 56, *Taylor vs. Storrett* 532 F2d 462, *LeVie vs. Woodson* 443 F2d 360, *Casey vs. Lewis* 518 US 343 and of course *Bands vs. Smith* 430 US 817.

Declaration in support of Motion  
For Continuance and Injunction

Declarant, William Kotis hereby declares the  
Foregoing MOTION is true and accurate to the  
best of his knowledge

Declarant sayeth naught,

Honolulu Fed. Detention Center  
July 5th, 2006

William Kotis, Pro-se  
William Kotis